

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

PATRICIA THOMPSON,

Plaintiff,

v.

CV 16-924 KBM/WPL

AVON PRODUCTS, INC.;
TRAVELERS COMPANIES d/b/a
Travelers Insurance Company;
GE CAPITAL FLEET SERVICES d/b/a
Gelco Corporation; and FNU LNU,
yet-to-be identified Business Entity(ies)
and/or Individuals,

Defendants.

ORDER TO SHOW CAUSE

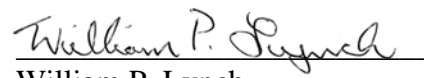
This matter is before the Court *sua sponte*. Federal Rule of Civil Procedure 4(m) provides in part:

If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period. . . .

More than 120 days have elapsed since this action was commenced, and the record reflects that Defendants Avon Products, Inc., and GE Capital Fleet Services d/b/a Gelco Corporation have not been served. In removed cases, the time for tolling the 90 day period begins upon the date of removal. *See* 28 U.S.C. § 1448.

IT IS THEREFORE ORDERED that, no later than **December 29, 2016**, Plaintiff must either effect service on Avon Products, Inc., and GE Capital Fleet Services d/b/a Gelco Corporation or provide the Court with a written explanation why service has not been effected.

If Plaintiff fails to respond within the time allotted, this action will be dismissed without prejudice.

A handwritten signature in black ink, reading "William P. Lynch", is positioned above a horizontal line.

William P. Lynch
United States Magistrate Judge